

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

1-39. (Canceled)

40. (Currently Amended) A kit for performing a procedure on a spine, the spine including an epidural space containing a thecal sac, the kit comprising:

an insertion member for accessing the epidural space, the insertion member comprising a tissue piercing distal tip; and

a non-inflatable mechanical shield ~~n-expandable device~~ sized and shaped to be inserted into the epidural space by the insertion member and configured to be mechanically extended ~~expanded~~ so as to protect and displace a portion of the thecal sac and provide a safety zone within the epidural space.

41. (Previously Presented) The kit of claim 40 wherein the insertion member includes at least one of a needle and a cannula.

42. (Canceled)

43. (Previously Presented) The kit of claim 40 further comprising an injectable medium.

44. (Withdrawn) The kit of claim 43 wherein the injectable medium is a gel.

45. (Withdrawn) The kit of claim 44 wherein the gel is a re-sorbably water-soluble gel.

46. (Withdrawn) The kit of claim 44 wherein the gel is adaptable to be used to visualize the epidural space during a procedure.

47. (Withdrawn) The kit of claim 44 wherein the gel comprises a temperature-sensitive polymer.

48. (Withdrawn) The kit of claim 44 wherein the gel is adaptable to provide controlled release of at least one therapeutic agent.

49. (Withdrawn) The kit of claim 48 wherein the gel is adaptable to treat a lumbar puncture.

50. (Previously Presented) The kit of claim 43 wherein the injectable medium is a contrast medium.

51. (Previously Presented) The kit of claim 50 wherein the contrast medium is a radio-opaque non-ionic myelographic contrast medium.

52. (Currently Amended) The kit of claim 51 wherein the contrast ~~agent~~ medium comprises an inert base.

53. (Previously Presented) The kit of claim 40 further comprising at least one bioactive agent.

54. (Previously Presented) The kit of claim 53 wherein the bioactive agent is a therapeutic agent.

55. (Previously Presented) The kit of claim 54 wherein the therapeutic agent includes at least one of an anti-inflammatory agent and an anesthetic.

56. (Previously Presented) The kit of claim 54 wherein the therapeutic agent is a steroid.

57. (Canceled)

58. (Canceled)

59. (Currently Amended) The kit according to claim ~~40~~3 wherein said ~~expandable device comprises a volume of a medium that~~ injectable medium is injectable at ambient temperatures and more viscous at body temperature.

60-62. (Canceled)

63. (Currently Amended) The kit of claim 40 wherein the insertion member further comprises a distally located side aperture, and wherein the mechanical shield ~~expandable device~~ is configured to ~~expand~~ extend from a side of the insertion member opposite the side aperture.

64. (Previously Presented) The kit of claim 40, further comprising a tool, the tool comprising a tissue engager and a tissue cutter, wherein the tissue engager can move relative to the tissue cutter, and wherein the tissue engager does not extend distally beyond the tissue piercing distal tip.

65. (Previously Presented) The kit of claim 64 wherein the tissue engager includes at least one of a blade, a barb, a needle, a hook, and a tooth.

66. (Previously Presented) The kit of claim 64 wherein the tissue cutter is configured for substantially longitudinal movement relative to the insertion member, and the tissue cutter includes a distal tip configured to cut tissue and engage a proximal region of the tissue piercing distal tip.

67. (Currently Amended) The kit of claim 40 wherein mechanical shield ~~expandable device~~ is further configured to be ~~expanded~~ extended to compress a portion of the thecal sac.